

REMARKS/ARGUMENTS

Claims 1-16, 19 and 20 were pending at the time of the mailing of the outstanding Office Action. By this amendment, claim 1 has been amended. No claims have been added or cancelled.

In the Office Action of February 8, 2007, the Examiner rejected claims 1, 5-9, and 15, 16, 19 and 20 under 35 U.S.C. § 102(b), as anticipated by, or in the alternative under 35 U.S.C. § 103(a), as obvious over US Pat. No. 3,429,950 to Parker et al. (hereinafter "Parker I"). Claims 1, 5-9, and 15, 16, 19 and 20 stand rejected under 35 U.S.C. § 103(a), as obvious over Parker I in view of US Pat. No. 3,300,544 to Parker et al. (hereinafter "Parker II") or JP5412065 or JP 401251791. Claims 1, 5-9, and 15, 16, 19 and 20 stand rejected under 35 U.S.C. § 102(b), as anticipated by, or in the alternative under 35 U.S.C. § 103(a), as obvious over US Pat. No. 5,985,785 to Lane et al. (hereinafter "Lane"). The Examiner rejected claims 1- 16, 19 and 20 under 35 U.S.C. § 103(a), as obvious over Parker I in view of US Pat. No. 6,063,864 to Mathur et al. (hereinafter "Mathur") or Lane or JP54120675.

Claim 1 has been amended to recite that the sheet molding composition is essentially devoid of thickening agents. Support for this amendment may be found at page 1, line 12 – page 2, line 20 and in the examples on page 8, line 18 – page 11, line 29. Parker I provides no teaching or suggestion of such a composition. The Examiner maintains that the recitation of "consisting essentially of" in claims 19 and 20 does not overcome the rejection based on Parker I. The Examiner alleges that the Applicants have not shown any novel characteristics of such a composition. However, the specification provides clear advantages of molding compounds without thickening agents such as metal oxides in the sections mentioned above. Therefore, the Applicants maintain that claims 1, 5-9, 15, 16, 19 and 20 patentably distinguish over Parker I.

The Examiner also rejected claims 1, 5-9, and 15, 16, 19 and 20 under 35 U.S.C. § 103(a), as obvious over Parker I in view of Parker II or JP5412065 or JP 401251791. To establish a *prima facie* case of obviousness, three requirements must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. There must also be a reasonable expectation of success and the prior art reference or references must teach or suggest all of the claim limitations. (MPEP § 2143.) As with Parker I, discussed above, Parker II does not teach or suggest a sheet molding composition devoid of thickening agents as claimed. JP 5412065 provides an epoxy prepreg laminated to an unsaturated polyester. JP 401251791 provides a wiring board that is made by using three different resins, an epoxy, a melamine and an unsaturated polyester. However, one of skill in the art would not have found a teaching or suggestion of B-staged polyesters from the teaching of B-staged epoxies and melamines. Additionally the sheet molding compound of claim 1 is patentably distinguishable over laminates as disclosed by the Japanese prior art. Therefore, the Applicants maintain that claims 1, 5-9, and 15, 16, 19 and 20 patentably distinguish over Parker I in view of Parker II or JP5412065 or JP 401251791.

The Examiner rejected claims 1, 5-9, and 15, 16, 19 and 20 under 35 U.S.C. § 102(b), as anticipated by, or in the alternative under 35 U.S.C. § 103(a), as obvious over US Pat. No. 5,985,785 to Lane. However, claim 1 patentably distinguishes over Lane. As stated above, claim 1 has been amended to recite that the compound is a sheet molding compound. Lane provides a laminate suitable for use as a substrate for circuit boards. As stated in a previous response, Lane also does not teach or suggest the use of irradiation to provide a stable, partially crosslinked compound as recited in claim 1. Instead, Lane discusses the "B-stage" polymer as an intermediate stage during the processing of A-stage material to C-stage material. See, for example, column 9, line 12 – column 10, line 6 and Examples 1 and 2. Therefore, even assuming that the Examiner is correct in stating that Lane discloses a B-stage polymer, Lane's disclosure does not enable one of skill in the art to provide a stable, partially cross-linked compound as recited in claim 1. For this

reason, claim 1 and claims 5-9 and 15-16 which depend from claim 1 and contain all the limitations of claim 1, patentably distinguish over Lane.

Claims 1- 16, 19 and 20 stand rejected under 35 U.S.C. § 103(a), as obvious over Parker I in view of Mathur or Lane or JP54120675. As provided above, neither Parker I, nor Lane, nor JP 54120675 teach or suggest a stable B-staged sheet molding compound made without thickening agents. Additionally, Mathur also does not provide a stable, partially cross-linked compound as recited in the claims. The Examiner maintains that "both Mathur and Lane teach and equate various polymerization (or crosslinking) methods such as heat, UV irradiation and electron beam." However, even if Mathur and Lane equate such methods, they do so in connection with complete polymerization and crosslinking. These references do not teach or suggest stable, partial crosslinking by any method, much less specifically by irradiation. Therefore, the references do not teach or suggest all the limitations of the claims. Furthermore, the Examiner has not provided a rationale for one of skill in the art to be motivated to combine the complete polymerization and crosslinking by irradiation of Mathur or Lane to the polyester resin of Lane to arrive at a stable, B-staged sheet molding compound. As stated above, JP 5412065 provides an epoxy prepreg laminated to an unsaturated polyester.

The Applicants maintain that the pending claims patentably distinguish over the prior art and request the issuance of a Notice of Allowance.

The outstanding Office Action was mailed on February 8, 2007. The Examiner set a shortened statutory period for reply of 3 months from the mailing date. Therefore, a petition for a one month extension of time is hereby made with this response. Additionally, the Applicants hereby make a conditional petition for any additional extension of time for response in the event that such a petition is required. The Commissioner is authorized to charge any fee required with the filing of this paper or to credit any overpayment to Deposit Account 15-0450.

Respectfully submitted,

/John J. Cunniff/

John J. Cunniff
Reg. No 42,451
Hahn Loeser + Parks LLP
One GOJO Plaza
Suite 300
Akron, OH 44311

Attorney for Applicants